BAY-DELTA OVERSIGHT COUNCIL

SOLUTION-FINDING PROCESS

Overview and Companion Description of Schematic: "Phase I — Foundational Decisions"

The BDOC process can be divided into two distinct phases. Phase I includes the primary work of the Council in building consensus on problems and objectives, evaluation criteria, and alternatives. Phase II is the Environmental Documentation process that will be the responsibility of the State and Federal lead and cooperating agencies. This summary focuses on Phase I.

OVERVIEW

Phase I of the BDOC process entails: [1] identification of problems and setting objectives in relation to the identified problems so that their achievement will define a long-term solution; [2] developing action options to achieve the objectives; [3] developing a broad range of alternatives, each comprised of a combination of action options, targeted at achieving the full range of objectives; [4] developing detailed evaluation criteria to measure whether the recommended alternatives can meet the objectives; [5] screening the broad range of alternatives against adopted evaluation criteria; and, [6] selecting the "best" alternatives for recommendation to the Water Policy Council for detailed examination through the CEQA/NEPA process.

It bears repeating that each alternative the BDOC recommends for detailed EIR/EIS analysis will be focused on addressing all four major areas of concern identified by the Governor's Executive Order; 1) water supply, 2) water quality, 3) environmental/biological resources, and 4) levee/channel improvements, as well as other areas of concern as recommended by the Council. A combination of action options is necessary because some may be infeasible or impracticable standing alone while others may only deal with one aspect of the problems manifest in the Estuary. The BDOC's charge is to develop and recommend an alternative, comprised of a set of action options, that will meet all the challenges expressed in the Executive Order.

Consequently, it is important to remember that an "alternative" will not be a single "action option," but a combination of action options (water transfers, conservation, water management strategies, environmental mitigation measures, levee/channel modification, etc.) that, taken in the aggregate, comprise an acceptable overall solution. These options, as components of each individual alternative, would be analyzed at various "implementation levels"; for example, one alternative might include 400,000 af of spring releases from Oroville Reservoir, while another alternative would include 200,000 af of spring releases from Oroville. The "action option" -- spring releases from Oroville -- would be a component of more than one "alternative," but the "implementation level" would be different in the two.

An analogy may be made to going shopping. The BDOC is shopping for the best alternative that will most completely satisfy the Governor's charge. The "alternatives" to be studied are equivalent to a number of full shopping carts. However, only one shopping cart will hold the most effective combination of goods; that is, the alternative that the EIR/EIS process will identify as the best to implement. Individual items ("action options") may be in only one, more than one, or even each, shopping cart ("alternative"). For example, consider increased releases from Oroville Dam in the spring as an item ("action option") in all but one shopping cart ("alternative") under EIR/EIS review. While one shopping cart may have the increased releases item in the jumbo 400,000 af package ("implementation level"), another might have the mini-size 200,000 af package. Again, alternatives consist of a varying combination of action options executed at various implementation levels.

We reemphasize that this narrative and accompanying graphic are focused exclusively on Phase I -- "Foundational Decisions" -- of the overall BDOC process. The full details and schedule of Phase II -- "Environmental Documentation" -- will unfold as milestone decisions in Phase I are reached. We cannot stress too much that this plan is evolutionary in nature. We fully expect it will be continually reevaluated as the BDOC proceeds with its deliberations, and may require adjustment, alteration and revisiting. The underlying strategy aim is to create and maintain flexibility so that the Council's capability to reexamine early decisions, with reference to evolving data and analysis that may not have been available at the time an initial decision was taken, is assured.

THE SCHEMATIC

What follows is a narrative description of the attached schematic. It is meant to provide a road map of the first phase of the BDOC's work plan; "Foundational Decisions."

Step #1 -- Problems & Objectives

The first step is the identification of problems in the Estuary which represent why it is "broken." (The Council has already accomplished the bulk of this task through the fairly detailed listing it developed at its March meeting earlier this year.) Next, and closely related to problem identification, is the development of objectives which will satisfy the Governor's charge, upon which the BDOC was premised, to create a long-term plan to:

protect and enhance the San Francisco Bay/Sacramento-San Joaquin Delta Estuary by addressing water quality concerns, effective design and operation of water export systems, maintenance of Delta levees and channels, and guarantees for protection of the Bay-Delta Estuary and its fish and wildlife resources.

The Governor's charge has been divided by staff into four categories for investigation and discussion: water quality, water supply, biological resources, and levee stability. Background and more technical materials are being produced for use by the Council during its deliberations as it moves forward in identifying problems and developing objectives for each targeted area of concern.

The objective setting process will be undertaken in a sequential manner, focusing on each of the four target issues separately. The ramification of this methodology, however, is that after the Council has developed a initial set of objectives, it will have to revisit them as a whole to ensure consistency, completeness.

Step #2 -- Options for Meeting Objectives

After coming to consensus on the objectives to be met, the Council will then move on to the discussion of action options for meeting the objectives in each of the four target areas. Action options will likely include water transfers, conservation, water management strategies, environmental enhancement measures, facilities, levee/channel modification, etc. These options will then become components of alternatives to be considered for detailed analysis. To reiterate a previous point, an action option may be implemented within different alternatives at different implementation levels; for example, the action option to increase flows at a particular time of year may be included in one alternative at an implementation level of 100,000 af while another alternative could set the implementation level at 200,000 af.

Step #3 -- Develop Range of Alternatives

Having developed a menu of action options for addressing the problems manifest in the Estuary related to the four target areas of concern, the Council will then pick and choose action options to be combined into a broad range of alternatives. It is expected that many alternatives (combinations of action options) will be developed at this stage for review.

Step #4 -- Evaluation Criteria

To evaluate which alternatives are worthy of recommendation for full CEQA/NEPA investigation, the Council must develop neutral, measurable evaluation criteria that can be used to determine the degree to which objectives are met by each alternative.

As presented in the diagram, this step in the process may occur simultaneously with both the development of action options for achieving objectives and the combining of those action options into a broad range of alternatives.

Instead of planning for a relatively isolated discussion of criteria, we felt it important to explicitly insert more flexibility into the process by spreading this task over a longer period of time. This also affords the Council sufficient time to secure the advice and recommendations of technical experts.

Step #5 -- Screening

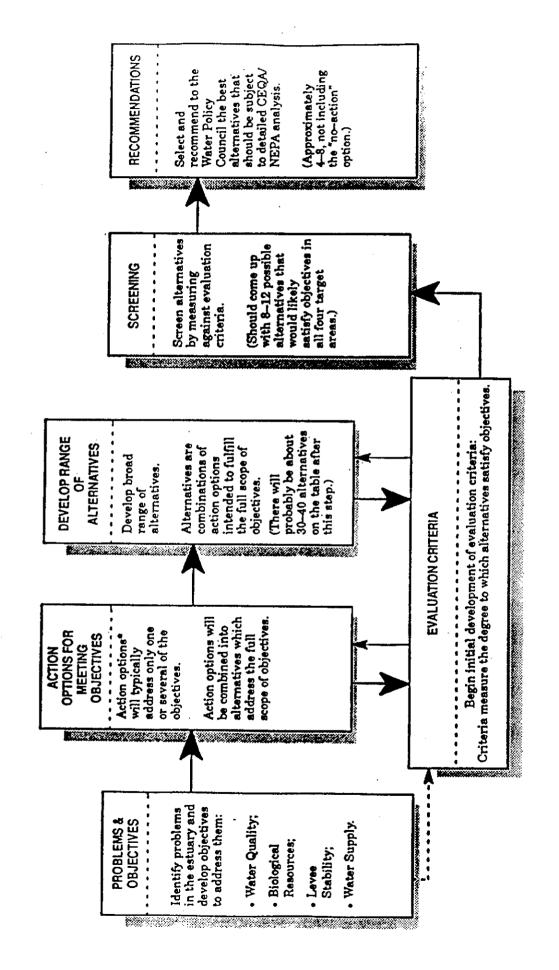
This step involves taking the results from Step #3 (Develop Range of Alternatives) and Step #4 (Evaluation Criteria), and merging the two. By examining the results of applying the evaluation criteria to each alternative, those alternatives which show the most promise for achieving the target objectives will be carried forward for further consideration. It is expected that the original broad array of alternatives will be narrowed down to 20-30 combinations of action options, each expected to be able to measure up to the standards established by the evaluation criteria.

Step #6 -- Recommendations

Ideally at this point, the Council will reach consensus on a relatively narrow range of alternatives representing those that could be expected to achieve the objectives previously agreed upon. Since the number of alternatives remaining on the table (probably 10-12) will likely be too large for the EIR/EIS process to accommodate, the Council may have to make a final "cut" and select a subset (perhaps 4-8) to recommend to the Water Policy Council for exhaustive investigation through the EIR/EIS process.

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The BDOC Solution – Finding Process PHASE I – Foundational Decisions



*Examples of action options include: acoustic sound barriers; conservation; Delta facilities; water transfers; levee improvements; etc.